

REMARKS

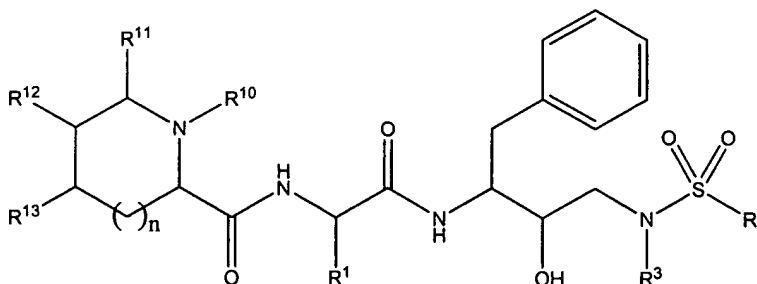
Claims 1-6 and 8-14 are pending in this application. Claim 7 has been canceled without prejudice or disclaimer in the Supplemental Preliminary Amendment filed June 7, 2004.

Restriction Requirement under 35 U.S.C. §121 and Election of Species

i) Election

The Office Action has imposed a restriction requirement between Group I (claims 1-6, 8, and 14, directed to products) and Group II (claims 9-13, directed to methods of use).

In response, Applicants elect the invention of Group I. Claim 1 of Group I recites a compound represented by the formula:

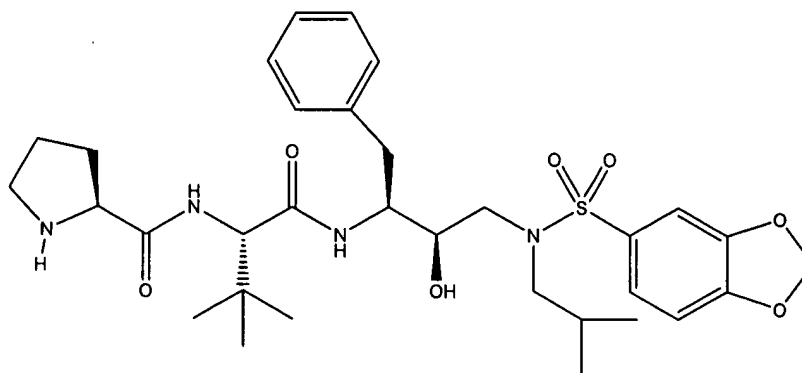


or a pharmaceutically acceptable salt, prodrug or ester thereof, wherein n, R¹, R³, R⁴, and R¹⁰-R¹³ are as defined in claim 1.

Applicants hereby elect for examination the species which is the compound:

2S-[[[(pyrrolidin-2-yl)carbonyl]amino]-N-[2R-hydroxy-3-[[[(1,3-benzodioxol-5-yl)sulfonyl]
(2-methylpropyl)amino]-1S-(phenylmethyl)propyl]-3,3-dimethylbutamide.

This compound has the structure



and is a compound of claim 1, wherein n is 0; R^1 is *t*-butyl (an alkyl of 1-5 carbon atoms, as recited); R^3 is isobutyl (an alkyl of 1-5 carbon atoms, as recited); R^4 is 1,3-benzodioxol-5-yl (a benzo fused 5 ring member heterocyclo, as recited); and R^{10} - R^{13} are hydrogen.

The elected species is described in Example 37, at pages 92-95 of the specification, with respect to the synthesis of its hydrochloride salt. The elected species is also described in Example 56, at pages 156-158 (see Table 10, first entry), with respect to its measured retroviral protease inhibitory activity (IC_{50}) and biological efficacy (EC_{50}).

All claims of Group I read on this elected species.

Prompt and favorable consideration of the pending claims is earnestly solicited.

Respectfully submitted,

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